

A bright sun with rays shining over a landscape.

# Voter

## Information Pamphlet



Published by Secretary of State Linda McCulloch  
Montana Toll-Free Voter Hotline: 888-884-VOTE

## **A Message from Secretary of State Linda McCulloch**

Dear Montana Voter,

The Montana Constitution grants the right for individuals, groups and the Legislature to propose constitutional and statutory changes to Montana law through the initiative and referendum process. This process allows for

proposed changes to the law to be placed on the ballot, and voted on by Montanans.



As Montana's Chief Elections Official, I am pleased to provide the Voter Information Pamphlet (VIP) to assist you in making informed decisions about the issues that will appear on the 2014 General Election ballot.

This year's ballot will include two legislative referenda that were referred to the ballot by the Montana Legislature. Unlike citizen proposals, legislative referenda do not have to meet signature gathering requirements to be placed on the ballot.

Please take the time to carefully read this pamphlet and to ask questions as needed. Your vote not only counts, it has the power to initiate change in government.

Thank you for being an informed voter.



Linda McCulloch  
Montana Secretary of State

More information regarding voting and elections can be found on the Secretary of State's website at [sos.mt.gov](http://sos.mt.gov).

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The VIP is available in large print, Braille, audio CD, and electronically. To request additional copies, or an accessible format, contact the Secretary of State's Office by phone at (406) 444-4732, or by email at [SOSElections@mt.gov](mailto:SOSElections@mt.gov). TTY: (406) 444-9068.

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## **Who writes the information in the VIP?**

The Attorney General writes an explanatory statement for each ballot issue. The statement, which is not to exceed 100 words, is required to be a true and impartial explanation of the purpose of each issue. The Attorney General also prepares the fiscal statement, if necessary, for each citizen issue. The Legislature provides a title, and the “Yes” and “No” ballot language for each legislative referendum.

Proponent and opponent arguments and rebuttals are written by appointed committees. Arguments are limited to one page and rebuttals are limited to one-half page. All arguments and rebuttals are printed as filed

by the committees and do not necessarily represent the views of the Secretary of State or the State of Montana.

## **Can I get the VIP in a different format?**

If you would like to receive the Voter Information Pamphlet in an accessible format, including large print, Braille, audio CD, online, or electronically, contact the Secretary of State’s Office by phone at (406) 444-4732, or by email at [soselections@mt.gov](mailto:soselections@mt.gov).

The Secretary of State also has a text telephone (TTY) at (406) 444-9068. The device allows you to leave a message.

For information about registering and voting, contact the office's toll-free voter hotline at 1-888-884-VOTE (8683), or visit the Secretary of State's elections website at [sos.mt.gov/Elections](http://sos.mt.gov/Elections).

### **Disclaimer**

The information included in the VIP for each ballot issue is the official ballot language, the text of each issue, and the arguments and rebuttals for and against each issue.

The opinions expressed therein do not necessarily represent the views of the Secretary of State or of the State of Montana. The Secretary of State does not guarantee the truth or accuracy of included statements.

***Disclaimer*** The information included in the VIP for each proposed ballot issue is 1) the official ballot language written by the Attorney General's office, 2) the text of each issue, and 3) the arguments and rebuttals for and against each issue. The opinions expressed therein do not necessarily represent the views of the Secretary of State or of the State of Montana. The Secretary of State does not guarantee the truth or accuracy of included statements.

***Ballot Language for Constitutional Amendment No. 45***

**CONSTITUTIONAL  
AMENDMENT NO. 45**

AN AMENDMENT TO THE  
CONSTITUTION  
PROPOSED BY THE  
LEGISLATURE.

AN ACT SUBMITTING TO  
THE QUALIFIED  
ELECTORS OF MONTANA  
AN AMENDMENT TO  
ARTICLE IV, SECTION 8,  
ARTICLE VI, SECTIONS 1,  
2, 3, 4, 6, AND 7, AND  
ARTICLE X, SECTION 4, OF  
THE MONTANA  
CONSTITUTION TO  
CHANGE THE NAME OF  
THE STATE AUDITOR TO  
THE COMMISSIONER OF  
SECURITIES AND  
INSURANCE.

The 2013 Legislature  
submitted this proposal for a

vote. C-45 would amend  
Montana's Constitution to  
change the name of the  
office of state auditor to the  
commissioner of securities  
and insurance (CSI). The  
office's current duties of  
regulating the securities and  
insurance industries would  
not change.

[ ] YES on Constitutional  
Amendment C-45

[ ] NO on Constitutional  
Amendment C-45

**Complete Text of House  
Bill No. 79, Referred by  
C-45**

AN ACT SUBMITTING TO  
THE QUALIFIED  
ELECTORS OF MONTANA  
AN AMENDMENT TO  
ARTICLE IV, SECTION 8,

ARTICLE VI, SECTIONS 1, 2, 3, 4, 6, AND 7, AND ARTICLE X, SECTION 4, OF THE MONTANA CONSTITUTION TO CHANGE THE NAME OF THE STATE AUDITOR TO THE COMMISSIONER OF SECURITIES AND INSURANCE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Article IV, section 8, of The Constitution of the State of Montana is amended to read:

**"Section 8. Limitation on terms of office.** (1) The secretary of state or other authorized official shall not certify a candidate's nomination or election to, or print or cause to be printed on any ballot the name of a

candidate for, one of the following offices if, at the end of the current term of that office, the candidate will have served in that office or had he not resigned or been recalled would have served in that office:

- (a) 8 or more years in any 16-year period as governor, lieutenant governor, secretary of state, ~~state auditor~~ commissioner of securities and insurance, attorney general, or superintendent of public instruction;
- (b) 8 or more years in any 16-year period as a state representative;
- (c) 8 or more years in any 16-year period as a state senator;
- (d) 6 or more years in any 12-year period as a member of the U.S. house of representatives; and



(e) 12 or more years in any 24-year period as a member of the U.S. senate.

(2) When computing time served for purposes of subsection (1), the provisions of subsection (1) do not apply to time served in terms that end during or prior to January 1993.

(3) Nothing contained herein shall preclude an otherwise qualified candidate from being certified as nominated or elected by virtue of write-in votes cast for said candidate."

**Section 2.** Article VI, section 1, of The Constitution of the State of Montana is amended to read:

**"Section 1. Officers.**

(1) The executive branch includes a governor, lieutenant governor, secretary of state, attorney

general, superintendent of public instruction, and auditor commissioner of securities and insurance.

(2) Each holds office for a term of four years which begins on the first Monday of January next succeeding election, and until a successor is elected and qualified.

(3) Each shall reside at the seat of government, there keep the public records of his office, and perform such other duties as are provided in this constitution and by law."

**Section 3.** Article VI, section 2, of The Constitution of the State of Montana is amended to read:

**"Section 2. Election.**

(1) The governor, lieutenant governor, secretary of state, attorney general,

superintendent of public instruction, and ~~auditor~~ commissioner of securities and insurance shall be elected by the qualified electors at a general election provided by law.

(2) Each candidate for governor shall file jointly with a candidate for lieutenant governor in primary elections, or so otherwise comply with nomination procedures provided by law that the offices of governor and lieutenant governor are voted upon together in primary and general elections."

**Section 4.** Article VI, section 3, of The Constitution of the State of Montana is amended to read:

**"Section 3. Qualifications.** (1) No person shall be eligible to the

office of governor, lieutenant governor, secretary of state, attorney general, superintendent of public instruction, or ~~auditor~~ commissioner of securities and insurance unless he is 25 years of age or older at the time of his election. In addition, each shall be a citizen of the United States who has resided within the state two years next preceding his election.

(2) Any person with the foregoing qualifications is eligible to the office of attorney general if an attorney in good standing admitted to practice law in Montana who has engaged in the active practice thereof for at least five years before election.

(3) The superintendent of public instruction shall have such educational

qualifications as are provided by law."

**Section 5.** Article VI, section 4, of The Constitution of the State of Montana is amended to read:

**"Section 4. Duties.** (1) The executive power is vested in the governor who shall see that the laws are faithfully executed. He shall have such other duties as are provided in this constitution and by law.

(2) The lieutenant governor shall perform the duties provided by law and those delegated to him by the governor. No power specifically vested in the governor by this constitution may be delegated to the lieutenant governor.

(3) The secretary of state shall maintain official records of the executive branch and

of the acts of the legislature, as provided by law. He shall keep the great seal of the state of Montana and perform any other duties provided by law.

(4) The attorney general is the legal officer of the state and shall have the duties and powers provided by law.

(5) The superintendent of public instruction and the ~~auditor~~ commissioner of securities and insurance shall have such duties as are provided by law."

**Section 6.** Article VI, section 6, of The Constitution of the State of Montana is amended to read:

**"Section 6. Vacancy in office.** (1) If the office of lieutenant governor becomes vacant by his succession to the office of governor, or by his death, resignation, or

disability as determined by law, the governor shall appoint a qualified person to serve in that office for the remainder of the term. If both the elected governor and the elected lieutenant governor become unable to serve in the office of governor, succession to the respective offices shall be as provided by law for the period until the next general election. Then, a governor and lieutenant governor shall be elected to fill the remainder of the original term.

(2) If the office of secretary of state, attorney general, ~~auditor~~ commissioner of securities and insurance, or superintendent of public instruction becomes vacant by death, resignation, or disability as determined by law, the governor shall appoint a qualified person to

serve in that office until the next general election and until a successor is elected and qualified. The person elected to fill a vacancy shall hold the office until the expiration of the term for which his predecessor was elected."

**Section 7.** Article VI, section 7, of The Constitution of the State of Montana is amended to read:

**"Section 7. 20 departments.** All executive and administrative offices, boards, bureaus, commissions, agencies and instrumentalities of the executive branch (except for the office of governor, lieutenant governor, secretary of state, attorney general, superintendent of public instruction, and ~~auditor~~ commissioner of

securities and insurance) and their respective functions, powers, and duties, shall be allocated by law among not more than 20 principal departments so as to provide an orderly arrangement in the administrative organization of state government. Temporary commissions may be established by law and need not be allocated within a department."

**Section 8.** Article X, section 4, of The Constitution of the State of Montana is amended to read:

**"Section 4. Board of land commissioners.** The governor, superintendent of public instruction, ~~auditor~~ commissioner of securities and insurance, secretary of state, and attorney general constitute the board of land

commissioners. It has the authority to direct, control, lease, exchange, and sell school lands and lands which have been or may be granted for the support and benefit of the various state educational institutions, under such regulations and restrictions as may be provided by law."

**Section 9.** Two-thirds vote required. Because [sections 1 through 8] are legislative proposals to amend the constitution, Article XIV, section 8, of the Montana constitution requires an affirmative roll call vote of two-thirds of all the members of the legislature, whether one or more bodies, for passage.

**Section 10.**  
**Submission to electorate.**

[This act] shall be submitted to the qualified electors of Montana at the general election to be held in November 2014 by printing on the ballot the full title of [this act] and the following:

☐ YES on Constitutional Amendment No. \_\_\_\_\_

☐ NO on Constitutional Amendment No. \_\_\_\_\_

### **Argument For C-45**

The 2013 Legislature passed HB79 to ask the voters of Montana to amend the State Constitution to change the name of the office of the State Auditor to the Commissioner of Securities and Insurance.

Referendum C-45 to be presented to the voters is the result of HB79 and will help to better inform and clarify

the duties of the office to the citizens of Montana. The referendum is needed as the name of the office is currently specified in the State Constitution as the office of the State Auditor.

The current office of the State Auditor has no responsibility for audit of State government, this role resides within the separate office of the Legislative Auditor. Rather, the State Auditor's office is responsible for regulating two of Montana's largest industries, Securities and Insurance. Changing the name to the Commissioner of Securities and Insurance will better inform Montanans where to turn for help when issues arise with insurance or investment.

Montanans often assume that in order to resolve complaints and issues with insurers or investment companies they need to hire a lawyer and involve the courts, often at great personal expense. While this still may be necessary at times, the office of the Commissioner of Securities and Insurance has a team of regulatory experts that can provide assistance before the parties need to consult and hire an attorney. The office exists to help both Montanans and insurance/investment companies with dispute resolution.

The current State Auditor organization has already rebranded the office as the Commissioner of Securities and Insurance. The industry,

media and knowledgeable members of the public already refer to the office as the Commissioner of Securities and Insurance. The office has changed the name on the letterhead, official documents and signage, thus there is no expense to the public to change the name of the office. It has already been done.

There are no additional powers afforded to the office or Commissioner in this action. The office of the Commissioner of Securities and Insurance will have the same roles and authority as the office of the State Auditor.

This is a simple name change Referendum, without associated cost or expense

to the taxpayers of Montana. The Referendum change will help Montanans better identify the responsibilities of the office and the public benefit that can be utilized.

### **Argument Against C-45**

The State of Montana Constitution should never be changed without a highly compelling reason. Since our Constitution's adoption on June 6th, 1972, the voters of Montana have been well served and satisfied with their decision to create the office of the Montana State Auditor.

The Auditor's responsibilities are broad and the title is advantageous in keeping pace with changing times and requirements.

Specifying an extremely narrowed title and function to this position may create future situations in which the renamed "Commissioner of Securities and Insurance" has expanded responsibilities that go beyond the scope of the title or, conversely, may be tasked with nothing related to that title whatsoever.

An edifying example is the banking industry in Montana-currently regulated by the Department of Administration. Presently, the Auditor's office regulates insurance companies and securities companies. Many insurance companies' business operations include banking and many banks deal with insurance. Insurance, securities and banking could be regulated



by one agency in the foreseeable future and the legislature could consolidate those regulatory duties and place them under the purview of the Montana State Auditor. The proposed title change does not account for the responsibilities of this oversight and yet another name change for the office would likely be considered.

Conversely, the proposed constitutional amendment to the title says nothing about the Auditor's constitutionally-mandated duties as a State Land Board member.

Other reasons to reject this proposed constitutional amendment *are* compelling. In 2006, Montana voters rejected a nearly identical constitutional amendment by

an almost 2-1 margin, and, ultimately, changing the name of a constitutionally-mandated office is costly. Expenses incurred in changing computer programs, public notifications, general supplies, labor, etc. cannot be avoided.

Montana voters got it right in 1972 and again in 2006. There is no compelling reason to change the Montana Constitution. Reject C-45.

### **Proponents' Rebuttal of Argument Against C-45**

Changing our constitution to allow government to better serve our citizens is a good action. Montanans affected by investment schemes or insurance problems can

locate assistance faster from a state agency whose name accurately reflects its role.

C-45 opponents argue the vague “State Auditor” title allows the agency flexibility to take on future responsibilities, including regulation of banking. For over half a century, this agency’s responsibilities haven’t changed. Unlike the title “State Auditor,” “Commissioner of Securities and Insurance” correctly depicts the agency’s duties.

The banking industry is vastly different than Securities or Insurance. Nothing in recent history indicates that anyone – the Governor, Legislature, Banking Commissioner, or the industry – wants to change the agency that

currently regulates banking, the Department of Administration.

Opponents argue the new title does not reflect the Auditor’s land board duties, but Article 10, Section 4 of Montana’s Constitution takes care of this by prescribing the agency’s land board duties. Additionally, no other land board member’s title reflects their land board duties.

Changing the name to “Commissioner of Securities and Insurance” won’t incur additional expense; the agency has already been re-branded within its operating budget at no additional cost to Montana taxpayers. The Montana State Auditor does not audit anything, but does regulate the Securities and

Insurance industries. The title of the office should reflect the work and duties of the office. Updating the agency title, as proposed in C-45 will make government work better for Montanans.

### **Opponents' Rebuttal of Argument For C-45**

Voters should reject C-45 for 2 important reasons.

This change would put a glaring contradiction into our State Constitution between the name of this office and the constitutional duties of this office. The Auditor's duties extend beyond securities and insurance. Montana state law already affords the Montana State Auditor the right to *additionally* represent the office as the Commissioner

of Securities and Insurance and the office is already doing so on the state website and in printed documents. Since this has already been accomplished, no constitutional change is required.

More importantly, it is not possible to change the Constitution of the State of Montana without expense to citizens of the state.

Vote NO on C-45.

### **Credits**

The PROPONENT argument and rebuttal were prepared by State Senator Ed Buttrey and State Representative Tom Berry.

The OPPONENT argument and rebuttal were prepared by State Senator Mitch

Tropila and State  
Representative Nicholas  
Schwaderer.

***Ballot Language for  
Legislative Referendum  
No. 126***

**LEGISLATIVE  
REFERENDUM NO. 126**

AN ACT REFERRED BY  
THE LEGISLATURE.

AN ACT PROTECTING THE  
INTEGRITY OF MONTANA  
ELECTIONS BY ENDING  
LATE VOTER  
REGISTRATION ON THE  
FRIDAY BEFORE  
ELECTION DAY AND  
ELIMINATING ELECTION  
DAY REGISTRATION;  
ENSURING COMPLIANCE  
WITH THE NATIONAL  
VOTER REGISTRATION

ACT; PROVIDING THAT  
THE PROPOSED ACT BE  
SUBMITTED TO THE  
QUALIFIED ELECTORS OF  
MONTANA AT THE  
GENERAL ELECTION TO  
BE HELD IN NOVEMBER  
2014; AMENDING  
SECTIONS 13-2-301, 13-2-  
304, 13-19-207, AND 61-5-  
107, MCA; AND  
PROVIDING AN  
EFFECTIVE DATE.

The 2013 Legislature  
submitted this proposal for a  
vote. LR-126 changes the  
deadline for late voter  
registration from the close of  
polls on election day to 5:00  
p.m. on the Friday before the  
election. LR-126 also moves  
the deadline for changes to  
an elector's voter registration  
information from the close of  
polls on election day to 5:00  
p.m. on the Friday before the

election. The National Voter Registration Act referenced in the title of LR-126 does not require elimination of election-day registration, and does not require moving the deadline for changes to an elector's voter registration information.

[     ] YES on Legislative Referendum LR-126

[     ] NO on Legislative Referendum LR-126

**Complete Text of Senate Bill No. 405, Referred by LR-126**

AN ACT PROTECTING THE INTEGRITY OF MONTANA ELECTIONS BY ENDING LATE VOTER REGISTRATION ON THE FRIDAY BEFORE ELECTION DAY AND ELIMINATING ELECTION

DAY REGISTRATION; ENSURING COMPLIANCE WITH THE NATIONAL VOTER REGISTRATION ACT; PROVIDING THAT THE PROPOSED ACT BE SUBMITTED TO THE QUALIFIED ELECTORS OF MONTANA AT THE GENERAL ELECTION TO BE HELD IN NOVEMBER 2014; AMENDING SECTIONS 13-2-301, 13-2-304, 13-19-207, AND 61-5-107, MCA; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 13-2-301, MCA, is amended to read:

**"13-2-301. Close of regular registration --**

**notice -- changes.** (1) The election administrator shall:

(a) close regular registrations for 30 days before any election; and

(b) publish a notice specifying the day regular registrations will close and the availability of the late registration option provided for in 13-2-304 in a newspaper of general circulation in the county at least three times in the 4 weeks preceding the close of registration or broadcast a notice on radio or television as provided in 2-3-105 through 2-3-107, using the method the election administrator believes is best suited to reach the largest number of potential electors. The provisions of this subsection (1)(b) are fulfilled upon the third publication or broadcast of the notice.

(2) Information to be included in the notice must be prescribed by the secretary of state.

(3) An application for voter registration properly executed and postmarked on or before the day regular registration is closed must be accepted as a regular registration for 3 days after regular registration is closed under subsection (1)(a).

(4) An individual who submits a completed registration form to the election administrator before the deadlines provided in this section is allowed to correct a mistake on the completed registration form until 5 p.m. on the 10th day following the close of regular registration, and the qualified elector is then eligible to vote in the election.

(5) An elector who misses the deadlines provided for in this section may register to vote or change the elector's voter information and vote in the election, ~~except as otherwise as~~ provided in 13-2-304."

**Section 2.** Section 13-2-304, MCA, is amended to read:

**"13-2-304. Late registration -- late changes -- nonapplicability for school elections.** (1) Except as provided in subsections (2) and (3), the following provisions apply:

(a) An elector may register or change the elector's voter registration information after the close of regular registration in 13-2-301 and vote in the election if the election administrator in the county where the

elector resides receives and verifies the elector's voter registration information prior to ~~the close of the polls on election day.~~

~~(b) Late registration is closed from noon to 5 p.m. on the day Friday before the election.~~

~~(c)~~(b) Except as provided in 13-2-514(2)(a), an elector who registers or changes the elector's voter information pursuant to this section may vote in the election only if the elector obtains the ballot from and returns it to the location designated by the county election administrator.

(2) If an elector has already been issued a ballot for the election, the elector may change the elector's voter registration information only if the original voted ballot has not been received

at the county election office and if the original ballot that was issued is marked by the issuing county as void in the statewide voter registration database prior to the change.

(3) The provisions of subsection (1) do not apply with respect to an elector's registration to vote in a school election held pursuant to Title 20."

**Section 3.** Section 13-19-207, MCA, is amended to read:

**"13-19-207. When materials to be mailed.** (1) Except as provided in subsection (2), for any election conducted by mail, ballots must be mailed no sooner than the 25th day and no later than the 15th day before election day.

(2) (a) All ballots mailed to electors on the active list and provisionally registered list must be mailed the same day.

(b) At any time before noon on the day before election day, a ballot may be mailed or, upon request, provided in person at the election administrator's office to:

(i) an elector on the inactive list after the elector reactivates the elector's registration as provided in 13-2-222; or

(ii) an individual who registers under the late registration option provided for in 13-2-304.

(c) An elector on the inactive list shall vote at the election administrator's office on election day if the elector reactivates the elector's



registration after noon on the day before election day.

~~(d) An elector who registers pursuant to 13-2-304 on election day or on the day before election day must receive the ballot and vote it at the election administrator's office."~~

Section 4. Section 61-5-107, MCA, is amended to read:

"61-5-107. Application for license, instruction permit, or motorcycle endorsement. (1) Each application for an instruction permit, driver's license, commercial driver's license, or motorcycle endorsement must be made upon a form furnished by the department. Each application must be accompanied by the proper fee, and payment of the fee entitles the applicant to not more than three

attempts to pass the examination within a period of 6 months from the date of application. A voter registration form for mail registration as prescribed by the secretary of state and in compliance with the National Voter Registration Act of 1993, Public Law 103-31, 42 U.S.C. 1973gg, et seq., must be attached to each driver's license application. If the applicant wishes to register to vote, the department shall accept the registration and forward the form to the election administrator.

(2) Each application must include the full legal name, date of birth, sex, residence address of the applicant [and the applicant's social security number], must include a brief description of the applicant, and must

provide the following additional information:

(a) the name of each jurisdiction in which the applicant has previously been licensed to drive any type of motor vehicle during the 10-year period immediately preceding the date of the application;

(b) a certification from the applicant that the applicant is not currently subject to a suspension, revocation, cancellation, disqualification, or withdrawal of a previously issued driver's license or any driving privileges in another jurisdiction and that the applicant does not have a driver's license from another jurisdiction;

(c) a brief description of any physical or mental disability, limitation, or condition that impairs or may

impair the applicant's ability to exercise ordinary and reasonable control in the safe operation of a motor vehicle on the highway;

(d) a brief description of any adaptive equipment or operational restrictions that the applicant relies upon or intends to rely upon to attain the ability to exercise ordinary and reasonable control in the safe operation of a motor vehicle on the highway, including the nature of the equipment or restrictions; and

(e) if the applicant is a foreign national whose presence in the United States is temporarily authorized under federal law, the expiration date of the official document issued to the applicant by the bureau of citizenship and immigration services of the

department of homeland security authorizing the applicant's presence in the United States.

[(3) The department shall keep the applicant's social security number from this source confidential, except that the number may be used for purposes of subtitle VI of Title 49 of the U.S.C. or as otherwise permitted by state law administered by the department and may be provided to the department of public health and human services for use in administering Title IV-D of the Social Security Act.]

(4) (a) When an application is received from an applicant who is not ineligible for licensure under 61-5-105 and who was previously licensed by another jurisdiction, the department

shall request a copy of the applicant's driving record from each jurisdiction in which the applicant was licensed in the preceding 10-year period. The driving record may be transmitted manually or by electronic medium.

(b) When received, the driving records must be appended to the driver's record created and maintained in this state. The department may rely on information contained in driving records received under this section to determine the appropriate action to be taken against the applicant upon subsequent receipt of a report of a conviction or other conduct requiring suspension or revocation of a driver's license under state law.

(5) An individual who is under 26 years of age but at least 15 years of age and who is required to register in compliance with the federal Military Selective Service Act, 50 App. U.S.C. 453, must be provided an opportunity to fulfill those registration requirements in conjunction with an application for an instruction permit, driver's license, commercial driver's license, or state identification card. If under 18 years of age but at least 15 years of age, an individual must be provided an opportunity to be registered by the selective service system upon attaining 18 years of age. Any registration information supplied on the application must be transmitted by the department to the selective service system. (Bracketed

language terminates on occurrence of contingency-- sec. 1, Ch. 27, L. 1999.)"

**Section 5. Effective date.** [This act] is effective upon approval by the electorate.

**Section 6. Submission to electorate.** [This act] shall be submitted to the qualified electors of Montana at the general election to be held in November 2014 by printing on the ballot the full title of [this act] and the following:

☐ YES on Legislative Referendum No. \_\_\_\_

☐ NO on Legislative Referendum No. \_\_\_\_

**Section 7. Coordination instruction.** If House Bill No. 30 is passed and approved, then [this act] is void.

## **Argument For LR-126**

The arguments in favor of moving the close of voter registration to 5 pm on Friday before Election Day are straightforward. First, doing so will allow election administrators to focus on their primary responsibility which is administering a fair and transparent election. Second, it will ensure all eligible voters are able to exercise their right to vote with minimal delays. Finally, it will allow voters to get election results in a timely fashion.

Ending voter registration prior to Election Day will permit the election administrators to print accurate Official Registers to be taken to the polling

places, making sure administrators know what ballots, supplies, and staff are necessary at the polling places. It will allow the election administrators to supervise the counting of votes by the Absentee Counting Board so that these votes are tabulated in a timely manner.

Elections are complicated affairs. In addition to the votes of properly registered voters, election administrators must administer provisional votes and votes by “provisionally” registered voters. That “provisional” process allows ANY voter to cast a ballot even if their name does not appear on the registration list for a number of reasons.

These complicated situations require the election administrator to advise the dedicated, but part time, election judges. Without having to handle the complicated and time consuming task of registering voters who wait until the last minute to register on election day, administrators will be able to concentrate on helping their election judges with the problems they encounter as they occur.

Finally, closing voter registration prior to Election Day will allow the voters of Montana to get election results in a more timely manner. In 2012 the lines of people who waited until the last minute to register and vote were long and stretched well outside the polling

places in many larger counties when 8 PM arrived. The election administrators are ordered by 13-15-207(3)(e), MCA, not to report any election results until voting has ended. In many places the end of voting did not occur until after midnight, which delayed voter results until the middle of the night.

Ending voter registration at 5 PM the Friday before Election Day will not substantially burden any voter who really wishes to vote. Elections should be orderly, fair, and results should be timely reported. Vote YES on LR-126.

## **Argument Against LR-126**

### **Vote “No” on LR-126**

Montana has some of the best run elections in the country, and it's a system that should make us proud. A 2014 report from the non-partisan Pew Charitable Trusts rated Montana as the 11th best state in the country for efficient and well-run elections. One of the reasons Montana ranks so high is because we are a state that puts an emphasis on guaranteeing an elections process that is fair, honest, open, and accurate.

America is the world's leading democracy, and it's our responsibility as voters to make sure every eligible Montanan who wants to vote can cast a ballot. But LR-126 threatens our democracy by placing unfair hurdles in front of our freedom to vote, taking away our right to

register and cast a ballot on Election Day. Simply put, LR-126 is a bad idea and it should be defeated.

Election Day registration is a safeguard for democracy that has worked well for nearly a decade here in Montana, with over 28,000 eligible Montana voters using it to cast a ballot. In today's economy, accessibility to our elections process is critically important. More people than ever before have to work two or more jobs to make ends meet for themselves and their families. Same-day registration allows busy working people to register and vote in one trip – ensuring that responsible Montanans who are just trying to get by can have their voices heard. This is essential for recently

returned military veterans, seniors, folks with disabilities, and young people exercising their right to vote for the first time. Same-day voter registration also provides a reprieve for any number of hard working citizens who have moved into Montana, or perhaps just across town in any given year ... without realizing the necessity to update their registration to coincide with their current address.

When dealing with something as sensitive and important as our constitutional right to vote, it's necessary that both sides – Republican and Democrat – agree. Yet LR-126 was passed without one single bipartisan vote of support. It was a purely political attempt to deny some Montanans the

right to vote or to try to fix something that isn't broken.

LR-126 is also filled with serious unintended consequences. Without the ability to register and vote on Election Day, a lot can go wrong. In other states, people have stood in line for hours only to learn that the politicians had unfairly purged thousands of eligible voters from the voter rolls, making it impossible for them to cast a ballot. Here in Montana, we don't have to worry about that sort of thing, nor do we have to worry about lost cards or misplaced records. You can still re-register and vote on Election Day. That is your right protected under the law – a right that LR-126 would take away forever.



If you believe in democracy and if you believe that every eligible voter in Montana should have the right to cast a ballot, then you should vote “No” on LR-126.

### **Proponents’ Rebuttal of Argument Against LR-126**

The opponents of LR-126 would like you to believe that it will interfere with the ability of people to vote and will end democracy as we know it. Neither of these charges is true.

Montanans have many opportunities to register to vote regardless of their economic circumstance or location. They can register when getting a driver’s license, when at the county courthouse to buy a vehicle license plate, at the many

voter registration drives organized by interest groups, and most importantly, by the mail, which can be done anytime and anywhere. Registering on Election Day is probably the most time consuming manner of accomplishing a task that can be done faster and easier before Election Day. Provisional voting is available to all voters for a variety of reasons. With the amount of political advertising being done, no one who is paying even a little attention can claim that they were unaware that Election Day was approaching.

The opponents argue that in other states voters have been unknowingly purged off the voter rolls, but Montana law prevents that by keeping

a voter on the list until they have failed to vote in three consecutive federal elections. This fear is just another false alarm.

LR 126 will not remove anyone's "right to vote." It will simply require them to exercise a minimum of responsibility to register by 5 p.m. on the Friday before Election Day.

### **Opponents' Rebuttal of Argument For LR-126**

Vote NO on LR-126 to protect our constitutional right to vote. Without Montana's Election Day voter registration law over 28,000 Montanans' freedom to vote could have been taken away over the last 10 years.

Here in Montana, we do things right. That's why

we've passed laws like this one – ensuring our elections are easy and accessible for all eligible voters. Because when dealing with something as central to our Democracy as this fundamental freedom, the emphasis must always be on ensuring we all have the opportunity to have our voice heard.

Eliminating Election Day voter registration is the wrong solution to possible delays at polling places. The fact is, thousands of Montanans move every year. Seniors move to retirement homes. Veterans who fought to protect our freedoms overseas, return home just before an election. If this law passes and any of

these Montanans are unable to reregister well ahead of it, our government would be able to deny them their right to vote.

Supporters are attempting to fix something that isn't broken in the name of "timely election results." Without the ability to register and vote on Election Day, a lot can go wrong. It's happened before. Montanans registering to vote at the DMV, then learning on Election Day that their registration was lost, or incorrectly entered. Without this law, these Montanans would have had their voice taken away—all because of a bureaucratic error they had no control over.

Protect our freedom to vote.  
Vote No LR-126.

## **Credits**

The PROPONENT argument and rebuttal were prepared by State Senator Jeff Essmann, State Representative Gordon Vance, and Rosebud County Clerk and Recorder Geraldine Custer.

The OPPONENT argument and rebuttal were prepared by State Senator Sharon Stewart-Peregoy and State Representative Jean Price.

## ***Ballot Issue Notes***

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## ***Voting in Montana Elections***



### **Register to Vote – It's Easy!**

You must be:

- **A citizen of the United States**
- **A resident of Montana for at least 30 days before the next election**
- **18 years of age on or before the next election.**

You can register in many ways. Options include:

- Visiting your county election office and filling out a *Voter Registration Application*
- Filling out an application on the Secretary of State's website, printing it and returning it in person or by mail to the county election office

- Choosing to register when getting or renewing your Montana driver's license, or when requesting public assistance.

### **Regular Registration Deadline for the 2014 General Election:**

- 5:00 p.m. on October 6, 2014

### **Late Registration for the 2014 General Election:**

- Begins on October 7, 2014
- Closes on Election Day (Nov. 4) at 8:00 p.m.
- Must be done at the county election office or the location designated by the County Election Administrator
- Late registration is temporarily closed

beginning at noon on the day before the election, but opens again election morning.

**Whatever method you use to register – return your application to the county election office!**

### ★ **Voting by Absentee Ballot**

To vote by absentee ballot, you must:

- Fill out and sign an *Application for Absentee Ballot* or *Absentee List Application*
- Application forms can be found on the Secretary of State's website at **[sos.mt.gov/Elections](https://sos.mt.gov/Elections)**
- Submit the signed application to the county election office by mail or in person

- Once you receive your ballot packet, read the directions carefully and vote your ballot
- Sign the signature envelope and return the ballot to the county election office by mail or in person
- Absentee ballots must reach the county election office by the close of polls on Election Day!

### ★ **Absentee List**

Voters on the Absentee List automatically receive an absentee ballot for every election in which they are eligible to vote. To sign up, choose the option when completing one of these forms:

- *Absentee List Application*

- *Application for Absentee Ballot*
- *Voter Registration Application*

To remain on the Absentee List, you must sign and return the *Absentee Address Confirmation*, which the county election office will mail to you in January of each even year. Failure to return the confirmation card will result in your name being removed from the Absentee List.



## **Election Day**

You can find the location of your polling place by contacting your county election office, or by checking:

- *My Voter Page* (access at **[sos.mt.gov](https://sos.mt.gov)**)
- *Voter Registration Confirmation Card*

Most polling places open at 7:00 a.m. Some smaller polling places may open at noon. All polling places close at 8:00 p.m.

**Be sure to bring ID** with you. Any of the following forms of ID can be used:

- Current photo ID (driver's license, state ID, tribal ID, school ID, etc.)
- Voter registration confirmation card
- Current utility bill, bank statement, paycheck, government check or other government document that shows your name and current address.

**If you forget your ID** you can:

- Return to the polls when you have ID
- Fill out a *Polling Place Elector ID Form* available at each polling place
- Vote a provisional ballot
  - Your provisional ballot will be counted if your identity and eligibility to vote can be verified.

## ★ **Provisional Ballots**

If you have identity or eligibility problems when you get to the polls, you have the option to vote a ballot that is provisional and will be counted if your identity or eligibility problem can be solved.

The election official who gives you the ballot will explain to you why your

ballot is provisional, and will tell you what steps you can take to resolve the provisional status of your ballot.

## ★ **Voting for People with Disabilities**

Each polling place and election office is equipped with an AutoMARK, voting equipment specially designed for individuals with visual or mobility impairments.

An AutoMARK can be used by any voter, and has the following features:

- *Touch screen*
- *Keypad with raised buttons*
- *Braille markings*
- *Headphones to listen to the ballot choices*
- *Sip and puff personal device connections*



- *Visual and audio vote confirmations*

The AutoMARK prints a regular ballot based on a voter's confirmed choices. It does not save ballots and does not tabulate votes.

## ★ **Military and Overseas Electors**

Absent active duty military and overseas citizen electors can register to vote, request an absentee ballot, and vote their ballot electronically for all federal elections with the *Electronic Absentee System*.

Voters can track the status of their absentee ballot using the online election tool, *My Voter Page*.

## ★ **My Voter Page (MVP)**

*My Voter Page* is the Secretary of State's online voter information service.

By entering your name and date of birth, you can:

- Check your voter registration
- Check where you are registered to vote
- Find the location of your polling place
- Track your absentee ballot
- View a sample ballot.

The polling locations listed on MVP are for state and federal Primary and General Elections, and may not apply to other elections.

Check out *My Voter Page* by clicking on the MVP icon at **[sos.mt.gov](http://sos.mt.gov)**.

## ★ MVP Mobile App

You can access *My Voter Page* from your mobile device! It's free, and available to registered voters in Montana.

To get started, search for "My Voter Page" in the Android Market or Apple App Store.



Don't forget to VOTE on Tuesday, November 4!

**Election Night Results**  
**Visit Us Online After the Polls Close @**  
**[sos.mt.gov](http://sos.mt.gov)**

## ***County Election Offices***

### **Beaverhead**

2 S Pacific St No 3  
Dillon MT 59725  
Phone: 683-3720  
Fax: 683-3781  
dscott@  
beaverheadcounty.org

### **Big Horn**

PO Box 908  
Hardin MT 59034  
Phone: 665-9796  
Fax: 665-9824  
dbeardontwalk@  
co.bighorn.mt.us

### **Blaine**

PO Box 278  
Chinook MT 59523  
Phone: 357-3240  
Fax: 357-2199  
sboardman@  
co.blaine.mt.gov

### **Broadwater**

515 Broadway St  
Townsend MT 59644  
Phone: 266-9215  
Fax: 266-3674  
dellis@  
co.broadwater.mt.us

### **Carbon**

PO Box 887  
Red Lodge MT 59068  
Phone: 446-1220  
Fax: 446-2640  
elections@  
co.carbon.mt.us

### **Carter**

Box 315  
Ekalaka MT 59324  
Phone: 775-8749  
Fax: 775-8750  
cccnrc@

middrivers.com

### **Cascade**

Box 2305  
Great Falls MT 59403  
Phone: 454-6803  
Fax: 454-6725  
elections@  
co.cascade.mt.us

### **Chouteau**

Box 459  
Fort Benton MT 59442  
Phone: 622-5151  
Fax: 622-3012  
claassen@  
itstriangle.com

### **Custer**

1010 Main  
Miles City MT 59301  
Phone: 874-3343  
Fax: 874-3452  
l.corbett@  
co.custer.mt.us

### **Daniels**

Box 247  
Scobey MT 59263  
Phone: 487-5561  
Fax: 487-5583  
clerkrec@  
danielsco.mt.gov

### **Dawson**

207 West Bell  
Glendive MT 59330  
Phone: 377-3058  
Fax: 377-1717  
kreimans@  
dawsoncountymail.com

### **Deer Lodge**

800 Main  
Anaconda MT 59711  
Phone: 563-4060  
Fax: 563-4001  
jblodnick@  
anacondadeerlodge.mt.gov

**Fallon**

Box 846  
Baker MT 59313  
Phone: 778-7106  
Fax: 778-2048  
falloncc@  
middrivers.com

**Fergus**

712 W Main  
Lewistown MT 59457  
Phone: 535-5242  
Fax: 535-9023  
clerkrecorder@  
co.fergus.mt.us

**Flathead**

800 S Main  
Kalispell MT 59901  
Phone: 758-5535  
Fax: 758-5877  
electionweb@  
flathead.mt.gov

**Gallatin**

311 W Main Rm 210  
Bozeman MT 59715  
Phone: 582-3060  
Fax: 582-3068  
charlotte.mills@  
gallatin.mt.gov

**Garfield**

Box 7  
Jordan MT 59337  
Phone: 557-2760  
Fax: 557-2765  
gCCR@  
middrivers.com

**Glacier**

512 E Main  
Cut Bank MT 59427  
Phone: 873-3609  
Fax: 873-3613  
gmhall@  
glaciercountymt.org

**Golden Valley**

PO Box 10  
Ryegate MT 59074  
Phone: 568-2231  
Fax: 568-2428  
berryml@  
middrivers.com

**Granite**

Box 925  
Philipsburg MT 59858  
Phone: 859-3771  
Fax: 859-3817  
graclerk@  
co.granite.mt.us

**Hill**

315 4th St  
Havre MT 59501  
Phone: 265-5481 x221  
Fax: 265-2445  
armstrongs@  
co.hill.mt.us

**Jefferson**

Box H  
Boulder MT 59632  
Phone: 225-4020  
Fax: 225-4149  
bramey@  
jeffersoncounty-mt.gov

**Judith Basin**

Box 427  
Stanford MT 59479  
Phone: 566-2277 x109  
Fax: 566-2211  
akelly@  
co.judith-basin.mt.us

**Lake**

106 4th Ave E  
Polson MT 59860  
Phone: 883-7268  
Fax: 883-7230  
knewgard@  
lakemt.gov

**Lewis & Clark**

316 N Park Ave Rm 168  
Helena MT 59623  
Phone: 447-8338  
Fax: 457-8598  
pdehart@  
co.lewis-clark.mt.us

**Liberty**

Box 459  
Chester MT 59522  
Phone: 759-5365  
Fax: 759-5395  
clerk@  
co.liberty.mt.gov

**Lincoln**

512 California  
Libby MT 59923  
Phone: 283-2300  
Fax: 293-8577  
lcclerk@  
libby.org

**Madison**

Box 366  
Virginia City MT 59755  
Phone: 843-4270  
Fax: 843-5264  
pkaatz@  
madison.mt.gov

**McCone**

Box 199  
Circle MT 59215  
Phone: 485-3505  
Fax: 485-2689  
clerk@  
midrivers.com

**Meagher**

Box 309  
White Sulphur Springs MT  
59645  
Phone: 547-3612 x2  
Fax: 547-3388  
dogle@  
meaghercounty.mt.gov

**Mineral**

Box 550  
Superior MT 59872  
Phone: 822-3520  
Fax: 822-3579  
shayes@  
co.mineral.mt.us

**Missoula**

200 W Broadway  
Missoula MT 59802  
Phone: 258-4751  
Fax: 258-3913  
electioninfo@  
co.missoula.mt.us

**Musselshell**

506 Main  
Roundup MT 59072  
Phone: 323-1104  
Fax: 323-3303  
jmang@  
co.musselshell.mt.us

**Park**

414 E Callender St  
Livingston MT 59047  
Phone: 222-4110  
Fax: 222-4193  
clerkrecorder@  
parkcounty.org

**Petroleum**

Box 226  
Winnett MT 59087  
Phone: 429-5311  
Fax: 429-6328  
55clerk@  
middrivers.com

**Phillips**

Box 360  
Malta MT 59538  
Phone: 654-2423  
Fax: 654-2429  
mereaux@  
phillipscounty.mt.gov



**Pondera**

20 4th Ave SW  
Conrad MT 59425  
Phone: 271-4000  
Fax: 271-4070  
clerkrec@  
3rivers.net

**Powder River**

Box 200  
Broadus MT 59317  
Phone: 436-2361  
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kamende@  
prco.mt.gov

**Powell**

409 Missouri  
Deer Lodge MT 59722  
Phone: 846-9786  
Fax: 846-3891  
dgrey@  
powellcountymt.gov

**Prairie**

Box 125  
Terry MT 59349  
Phone: 635-5575  
Fax: 635-5576  
clerkrecorder@  
prairie.mt.gov

**Ravalli**

215 S 4th St Ste C  
Hamilton MT 59840  
Phone: 375-6550  
Fax: 375-6554  
rplettenberg@  
rc.mt.gov

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201 W Main  
Sidney MT 59270  
Phone: 433-1708  
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sverhasselt@  
richland.org

**Roosevelt**

400 2nd Ave S  
Wolf Point MT 59201  
Phone: 653-6250  
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chansen@  
rooseveltcounty.org

**Rosebud**

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Forsyth MT 59327  
Phone: 346-7318  
Fax: 346-7551  
gcuster@  
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**Sanders**

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Thompson Falls MT 59873  
Phone: 827-6922  
Fax: 827-6970  
nscribner@  
co.sanders.mt.us

**Sheridan**

100 W Laurel Ave  
Plentywood MT 59254  
Phone: 765-3403  
Fax: 765-2609  
mlynch@  
co.sheridan.mt.us

**Silver Bow**

155 W Granite Rm 208  
Butte MT 59701  
Phone: 497-6342  
Fax: 497-6328  
shollis@  
bsb.mt.gov

**Stillwater**

Box 149  
Columbus MT 59019  
Phone: 322-8000  
Fax: 322-8069  
pmishler@  
stillwater.mt.gov

**Sweet Grass**

Box 888  
Big Timber MT 59011  
Phone: 932-5152  
Fax: 932-3026  
sgclerk1@  
itstriangle.com

**Teton**

Box 610  
Choteau MT 59422  
Phone: 466-2693  
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paula@  
3rivers.net

**Toole**

226 1st St S  
Shelby MT 59474  
Phone: 424-8300  
Fax: 424-8301  
tnelson@  
toolecountymt.gov

**Treasure**

Box 392  
Hysham MT 59038  
Phone: 342-5547  
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clerkrecorder@  
rangeweb.net

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Phone: 228-6226  
Fax: 228-9027  
Inyquist@  
valleycountymt.gov

**Wheatland**

Box 1903  
Harlowton MT 59036  
Phone: 632-4891  
Fax: 632-4880  
wccr@  
mtintouch.net

**Wibaux**

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Wibaux MT 59353

Phone: 796-2481

Fax: 796-2625

wibauxco@

middrivers.com

**Yellowstone**

Box 35002

Billings MT 59107

Phone: 256-2740

Fax: 254-7940

brutherford@

co.yellowstone.mt.gov

## ***Ballot Issue Worksheet***

This worksheet is intended to help you remember your decision about each ballot issue. For an Election Day reminder, **Fill it out**, **Tear it out**, and **Use it to VOTE** in the General Election on November 4.

### **Constitutional Amendment No. 45**

- ☐ YES on Constitutional Amendment C-45
- ☐ NO on Constitutional Amendment C-45

### **Legislative Referendum No. 126**

- ☐ YES on Legislative Referendum LR-126
- ☐ NO on Legislative Referendum LR-126

Every vote is a voice heard.  
Don't forget to vote in the General Election on November 4!

## ***Ballot Issue Notes***

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Montana Secretary of State  
Elections, VIP  
1301 E. 6th Avenue  
Helena, MT 59601

Do Not Forward—Do Not  
Return

**My Voter Page**  
**All The Information You Need to  
Vote**

View Sample Ballot, Polling Place  
Location,  
Absentee Ballot Tracking, & More  
Online at [sos.mt.gov](https://sos.mt.gov)

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**Election Reminders**

- **The Federal General Election is Tuesday, November 4.**
- **Polls are open from 7:00 a.m. to 8:00 p.m.**  
Some precincts may open at noon. Check your local media or county election office for polling place times and locations.
- **Don't forget to bring your ID when you vote!**
- **It's not too late to register to vote!**  
Montana's late registration law allows eligible Montanans to register & vote right up until the close of polls on Election Day.

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